

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

June 29, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, June 22, 2010 (separate)**
- IV. Budget Amendments – Yes, pp.9-10**
- V. New Business, pp. 13-84**
- VI. Continuing Business / Presentations**
 - A. Water Resources Oversight Committee (separate)**
 - B. Council Planning Committee (separate)**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization for a Lease and Maintenance Agreement with ABDick-KopyKat, Inc. on Behalf of the Department of Social Services, Lexington Senior Citizens Center. (312-10) (Helm)
This request will authorize approval of a Lease and Maintenance Agreement at a cost of \$285.88 per month for maintenance service and \$.006 per copy for a period of 48 months with ABDick-KopyKat, Inc. on behalf of the Lexington Senior Citizens Center. Funds are budgeted.**p.13**
- B. Authorization of a Senior Farmers' Market Nutrition Program Distribution Site Agreement & Guidelines with the Kentucky Department of Agriculture on Behalf of the Department of Social Services, Lexington Senior Citizens Center – FY2011. (342-10) (Helm)
This request will authorize a Senior Farmers' Market Nutrition Program Distribution Site Agreement & Guidelines with the Kentucky Department of Agriculture on behalf of the Lexington Senior Citizens Center. The Center is a distribution site for the Farmers' Market Nutrition Voucher Program for low income senior adults in our community. There is no budgetary implication for LFUCG.**pp.14-16**
- C. Authorization of Purchase of Service Agreements (PSA) with Partner Agencies of the Department of Social Services – FY2011. (345-10) (Helm)
This request will authorize approval of sixteen (16) PSA with partner agencies of the Department of Social Services for a total of \$1,946,350. Funds are budgeted.**p.17**
- D. Authorization of Lease Agreements with Agencies to Utilize Office Space in the Black & Williams Neighborhood Center. (328-10) (Talbert/Helm)
This request will authorize approval of Lease Agreements with the National Alliance for the Mentally Ill, Bluegrass Community Action Agency, National Association for the Advancement of Colored People, Area Health Education Center, Legal Aide of the Bluegrass, LexCare, Urban League of Lexington Fayette County and West End Community Empowerment Program for use office space at the Black & Williams Neighborhood Center at no cost in exchange for services provided to the public.**p.18**
- E. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Social Services, Division of Family Services. (329-10) (L. Jarvis/Helm)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish two (2) positions of Child Care Program Aide (Grade 107N) and to Section 22-5 of the Code of Ordinances to create four (4) positions of Equipment Operator (Grade 108N) to drive buses within the Division of Family Services. The fiscal impact for FY2011 is a savings of \$4,781.90.**p.19**

- F. Authorization to Submit Grant Application to the Kentucky Department of Education, Division of School & Community Nutrition and Accept Award if Offered, on Behalf of the Department of Social Services, Family Care Center – FY2011. (332-10) (Gooding/Helm)

This request will authorize the submission of a grant application for federal funds in the amount of \$67,000 to the Kentucky Division of School & Community Nutrition on behalf of the Family Care Center to offset the cost of operating the nutrition program. This program provides breakfast, lunch and meal supplements to children enrolled in the Child Care Program. The source of federal funds is the US Department of Agriculture. While no matching funds are required, funds in the amount of \$7,500 have been requested in the Center's FY2011 General Fund budget. Total cost is \$74,500.**p.20**

- G. *Authorization to Amend Chapters 14 and 16 of the Code of Ordinances Regarding Erosion and Sediment Control at Construction Sites. (326-10) (Martin/Bush)

This request will authorize amendments to Chapters 14 and 16 of the Code of Ordinances to clarify LFUCG's Erosion and Sediment Control Program at construction sites by modifying language in Article 20 of the Zoning Ordinance and aligning requirements for construction sites that are one (1) acre and larger with the State Erosion and Sediment Control Program. The amendments will meet the objectives, intent and requirements in LFUCG's Municipal Separate Storm Sewer System discharge permit and the **EPA Consent Decree**. This amendment will become effective on repeal or amendment of Article 20.**p.21**

- H. *Authorization of an Annual Renewal of the Program Management Services Consent Decree Implementation Agreement with TetraTech, Inc. on Behalf of the Department of Environmental Quality, Division of Water Quality – Final Renewal. (330-10) (Martin/Bush)

This request will authorize the final Annual Renewal of the Program Management Services Consent Decree Implementation Agreement in the amount of \$1,766,000 with TetraTech, Inc. on behalf of the Division of Water Quality to continue deliverables for the stormwater/water quality management task orders under the **EPA Consent Decree**. Funds are budgeted.**pp.22-28**

- I. *Authorization to Award an Engineering Services Agreement to Hazen and Sawyer, PSC on Behalf of the Department of Environmental Quality, Division of Water Quality. (331-10) (Martin/Bush)

This request will authorize the award of an Engineering Services Agreement for \$2,000,000 to Hazen and Sawyer, PSC on behalf of the Division of Water Quality to provide three (3) Sanitary Sewer System Assessment Final Reports and three (3) Sanitary Sewer System and Wastewater Treatment Plans for required deliverables task orders under the **EPA Consent Decree**. Funds are budgeted.**pp.29-30**

- J. Authorization to Amend Chapter 16 to the Code of Ordinances Regarding the Storm Water Pollution Prevention Plans (SWPPP). (343-10) (Martin/Bush)
This request will authorize amendments to Section 16-90(b) and 16-90(e) of the Code of Ordinances relating to Stormwater Pollution Prevention Programs and will create Section 16-90(j) relating to preparation of Stormwater Pollution Prevention Programs regarding the SWPPP.**pp.31-33**
- K. Authorization to Approve Grant Award Agreements to Class A Neighborhoods for Stormwater Quality Projects. (344-10) (Martin/Bush)
This request will authorize the approval of Grant Award Agreements to Class A Neighborhoods for Stormwater Quality Projects. Six (6) grants will be awarded for a total of \$90,993.66. No matching funds are required.**pp.34-35**
- L. Authorization to Purchase a Baler Reliner From IPS Balers, Inc. as Sole Source Procurement on Behalf of the Department of Environmental Quality, Division of Waste Management for the Materials Recovery Facility (MPF) Plant Expansion. (327-10) (Feese/Bush)
This request will authorize the purchase of a reliner at a cost of \$33,233.20 from IPS Balers, Inc. as a sole source procurement on behalf of the MPF plant expansion. This baler compacts and binds approximately 60% or more of the materials processed. Funds are budgeted.**pp.36-39**
- M. Authorization of a Purchase of Service Agreement (PSA) with the Lexington-Fayette Urban County Human Rights Commission – FY2011. (338-10) (Gooding/Rumpke)
This request will authorize a PSA in the amount of \$166,960 with the Lexington-Fayette Urban County Human Rights Commission to support operating costs. Funds are budgeted.**p.40**
- N. Authorization of a Purchase of Service Agreement (PSA) with Road to Homeownership, Inc. – FY2011. (339-10) (Gooding/Rumpke)
This request will authorize a PSA in the amount of \$29,600 with the Road to Homeownership, Inc. to support operating costs. Funds are budgeted.**p.41**
- O. Authorization of a Purchase of Service Agreement (PSA) with the Urban League of Lexington-Fayette County – FY2011. (340-10) (Gooding/Rumpke)
This request will authorize a PSA in the amount of \$61,510 with the Urban League of Lexington-Fayette County to support operating costs. Funds are budgeted.**p.42**
- P. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Finance & Administration, Division of Human Resources. (353-10) (L. Jarvis/Rumpke)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Human Resources Analyst (Grade 115E) and create one (1) position of Payroll Analyst (Grade 115E) in the Division of Human Resources. There is no fiscal impact for FY2011. This action is budget neutral.**p.43**

- Q. Authorization of a General Conditions Agreement with OnniSource Integrated Supply, LLC for an Inventory and Equipment Specialist under the Metropolitan Medical Response System (MMRS) Project (290-10) (Gooding/ Bennett)
This request will authorize a General Conditions Agreement for FY2010 MMRS federal funds of \$20,000 and for FY2011 MMRS federal funds of \$30,000 for a total of \$50,000, with OnniSource Integrated Supply, LLC for an Inventory and Equipment Specialist to maintain supplies and equipment under the MMRS Project. Funds are budgeted.**p.44**
- R. Authorization to Accept a Youth Football Equipment Grant Offered by USA Football on Behalf of the Department of Public Safety, Division of Police, Police Activities League (PAL) Project – FY2011. (333-10) (Gooding/Bennett)
This request will authorize the acceptance of a Youth Football Equipment Grant of equipment valued at \$1,000 offered by USA Football on behalf of the Division of Police, PAL Project.**p.45**
- S. Authorization to Accept an Offer from the Kentucky Office of Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Emergency Management/911 for the Portable Interoperable Communications Tower Project. (350-10) (Gooding/Bennett)
This request will authorize the execution of an extension agreement offered by KOHS to extend the completion date through December 31, 2010 for the Portable Interoperable Communications Tower Project within the Division of Emergency Management/911.**p.46**
- T. Authorization to Accept Award from the US Department of Justice on Behalf of the US Attorney's Office Eastern District of Kentucky for a 2010 Project Safe Neighborhoods (PSN) Grant – FY2011, (351-10) (Gooding/Bennett)
This request will authorize the acceptance of an award in the amount of \$90,054 from the US DOJ on behalf of the US Attorney's Office Eastern District of Kentucky for a 2010 PSN Grant. Funds will be used to prevent gun and gang crimes, and for the enforcement of laws against armed criminals. LFUCG will serve as the fiscal agent for the funds. No matching funds are required.**p.47**
- U. Authorization to Amend Section 12-1(b) PM 106.4 of the Code of Ordinances for the Imposition of Civil Penalties by the Department of Public Safety, Division of Code Enforcement. (341-10) (D. Jarvis/Bennett)
This request will authorize an amendment to Section 12-1(b) PM 106.4 of the Code of Ordinances to allow the Division of Code Enforcement to impose civil penalties per individual structure or dwelling unit per parcel of land; treat each structure as an individual violation and issue fines accordingly; assist in handling large parcels of property that are a public nuisance; and will cap the civil penalty at \$10,000 per parcel per occurrence.**pp.48-50**

- V. Authorization to Approve *Statement of Compliance* Required by the National Bridge Inspection Standards, Bridge Posting Requirement. (334-10) (Rayan/Webb)

This request will authorize approval of the *Statement of Compliance* for bridges within Fayette County. This inspection was completed by the Kentucky Department of Highways, District Seven Structure Section. Bridges within Fayette County were found to be in compliance with the National Bridge Inspection Standards, Bridge Posting Requirement. This compliance allows LFUCG to remain eligible for Federal Bridge Rehabilitation or Replacement Funds.**pp.51-52**

- W. Authorization of Change Order No. 6 to Contract with Nesbitt Engineering, Inc. for the Meadows/Northland/Arlington Public Improvements Design – Phase 3. (336-10) (Rayan /Webb)

This request will authorize Change Order No. 6 to increase contract amount by \$32,000 with Nesbitt Engineering, Inc. for the Meadows/Northland/Arlington Public Improvements Project – Phase 3, Subphase 3D. Original contract amount was \$99,930. Total of previous change orders is \$128,528.78. New contract total is \$260,458.78. Funds are budgeted.**pp.53-55**

- X. Authorization of Amendment No. 3 to an Engineering Services Agreement Comprehensive Sanitary Sewer Project – Remaining Unsewered Areas with GRW Engineers, Inc. (337-10) (Rayan/Webb)

This request will authorize Amendment No. 3 to increase agreement amount by \$29,800 with GRW Engineers, Inc. for additional design/redesign work. Original agreement amount was \$128,000. Total of previous amendments is \$666,188. New agreement amount is \$823,899. Funds are budgeted.**pp.56-58**

- Y. Authorization to Accept Deeds for Acquisition of Properties for the Isaac Murphy Memorial Art Garden (IMMAG) Trailhead. (346-10) (Rayan/Webb)

This request will authorize the acceptance of fee simple deeds for acquisition of properties from owners of record at no cost to LFUCG, to establish the IMMAG Trailhead as part of the Legacy Trail. The IMMAG will become part of the Division of Parks & Recreation for maintenance.**p.59**

- Z. Authorization of Change Order No. 2 to Contract with HDR Engineering for Design of Citation Boulevard – Phase II. (347-10) (Gooding/Webb)

This request will authorize Change Order No. 2 to increase contract amount by \$62,500 with HDR Engineering for design of Citation Boulevard – Phase II to allow for three (3) modifications to the original scope of work. Original contract amount was \$768,025. Total of previous change order was \$149,282. New contract amount is \$979,807. Funds are budgeted.**pp.60-62**

- AA. Authorization to Accept an Award from the Kentucky Transportation Cabinet (KYTC), Transportation, Community, and Systems Preservation (TCSP) Program for Legacy Trail Enhancements. (349-10) (Gooding/Webb)
This request will authorize the acceptance of federal funds in the amount of \$500,000 from the TCSP Program for Legacy Trail Phase 1, 2 and 3 and the Isaac Murphy Memorial Art Garden Trailhead. A 20% (\$125,000) local match is required and will come from state funds awarded for infrastructure improvements for the IMMAG. Total project cost is \$625,000.**p.63**
- BB. Authorization of an Engineering Services Agreement with Strand Associates, Inc.® for the Distillery District Public Improvements Program (DDPIP). (352-10) (Van Pelt/Webb)
This request will authorize an Engineering Services Agreement in the amount of \$110,000 with Strand Associates, Inc.® for the DDPIP for the Manchester streetscape design and for the design and construction of a portion of the Town Branch Trail. Funds are budgeted.**p.64**
- CC. Authorization of Change Order No. 1 to Contract with L-M Partners, LTD (d/b/a ATS Construction) for the Lexington Streetscape Phase One – South Limestone Project. (FINAL) (354-10) (Webb)
This request will authorize Change Order No. 1 to decrease contract amount by \$9,295.01 with L-M Partners, LTD (d/b/a ATS Construction) for the Lexington Streetscape Phase One – South Limestone Project. Original contract amount was \$13,146,557.19. Final contract amount is \$13,137,262.18.**pp.65-66**
- DD. Authorization to Purchase from Central Indiana Truck Equipment Corporation as the Sole Source Procurement on Behalf of the Department of General Services, Divisions of Facilities & Fleet Management and Waste Management. (355-10) (Baradaran/Feese/Cole)
This request will authorize the purchase of twenty-five (25) Heil Python refuse truck body from Central Indiana Truck Equipment Corporation as the Sole Source Procurement for the Divisions of Facilities & Fleet Management and Waste Management at a cost not to exceed \$2,581,728. Funds are budgeted.**pp.67-68**
- EE. Authorization of Change Order No. 1 to Contract with Precision Painting & Pressure Washing for the Phoenix Building Exterior Painting Project. (FINAL) (356-10) (Baradaran/Cole)
This request will authorize Change Order No. 1 to increase contract amount by \$7,550 with Precision Painting & Pressure Washing for the Phoenix Building Exterior Painting Project for recaulking windows and painting columns. Original contract amount was 47,445. Final contract amount is \$54,995. Funds are budgeted.**pp.69-71**
- FF. Authorization to Amend Section 21-6 of the Code of Ordinances Regarding Probationary Employees. (358-10) (Askew)
This request will authorize an amendment to Section 21-6 of the Code of Ordinances to allow probationary employees who have missed a significant

number of days of work due to a serious medical illness or condition, to reapply for a position prior to the one year set forth in the ordinance.**pp.72-75**

- GG. Authorization of a Purchase of Service Agreement (PSA) with the Roots & Heritage Festival, Inc. for the 2010 Roots & Heritage Festival. – FY2011. (359-10) (Rabold)

This request will authorize a PSA in an amount not to exceed \$39,350 with the Roots & Heritage Festival, Inc. for the Roots & Heritage Festival scheduled for September 9 – 12, 2010. Funds are budgeted.**pp.76-84**

***EPA Consent Decree**